

## ABSTRACT

The Research and the pouring in this thesis pursuant to the above title has been carried with studying case in one of bank who regulated debt restructuring with equity conversion become stock. This transaction is very complicated because this transaction regulatory with Banking Law , Capital Market Law , Company Law .

Research purposed was to understand how bank can restructuring credit facility with debt conversion become stock and to understand bank practiced to implementation law stipulation be related to restructuring with debt conversion become stock , as alternative to restructuring bad debt.

Result as the research is show that bank has been regulated in internal regulated be related debt restructuring with debt conversion become stock. Implementation of the bank as different between company go public and isn't it. If the company already go public so debt conversion administration in convertible bond or stock compensation but when the company isn't it so bank made credit facility structured in Investation loan with stock participation option . This loan structured gave bank right option to buy stock debtor but bank must be look at the case or condition from debtor. The option can be used and bank must be observed of participation risk including exit plan from the company.

As the above reason , the writer has been studied and analysed implementation of restructuring by universal bank, through the descriptive analytic's research method including theory analytic's and empirics that poured in the thesis.

**Key Word : Restructuring, Credit Facility, Debt Conversion, Stock, Universal Bank**

## Pasal 27

### Ayat (1)

Sistem pengendalian intern secara tertulis merupakan bagian dari sistem pengendalian intern yang telah dimiliki Bank sebagaimana dimaksud dalam ketentuan Bank Indonesia yang berlaku.

Sistem pengendalian intern dimaksudkan sebagai mekanisme pengendalian dalam rangka *checks and balance* serta jejak audit yang jelas.

Kewajiban pembuatan sistem pengendalian intern berlaku bagi Bank yang memiliki kebijakan untuk melakukan atau akan melakukan kegiatan Penyertaan Modal dan Penyertaan Modal Sementara.

### Ayat (2)

Cukup jelas.

## Pasal 28

### Huruf a

Cukup jelas.

### Huruf b

Cukup jelas.

### Huruf c

Cukup jelas.

### Huruf d

Larangan ini dimaksudkan agar Bank terhindar dari eksposur Penyertaan Modal pada perusahaan yang memiliki *open-ended liability*, seperti adanya *letter of undertaking* yang mengikat *Investee* secara akuntansi maupun secara hukum kepada pihak lain sedemikian rupa sehingga bank memiliki tanggung jawab yang tidak terbatas.

Pasal 29 ...

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Pasal 29

Cukup jelas.

Pasal 30

Termasuk dalam sanksi berupa teguran tertulis adalah perintah untuk melakukan divestasi.

Pasal 31

Cukup jelas.

Pasal 32

Cukup jelas.

Pasal 33

Cukup jelas.

Pasal 34

Cukup jelas.